

# **EXHIBIT A**

CHAMBERS OF  
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UNITED STATES DISTRICT COURT  
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FAX COVER SHEET

RE: Discover v. Visa, et al, 04 Civ. 7844  
American Express v. Visa, et al, 04 Civ 8967

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X	
DISCOVER FINANCIAL SERVICES, INC.	:
	:
Plaintiff	:
v.	:
	:
VISA U.S.A., INC., VISA INTERNATIONAL	:
SERVICE ASSOCIATION, MASTERCARD	:
INCORPORATED, MASTERCARD INTERNATIONAL	:
INCORPORATED,	:
	:
Defendants.	:
-----X	
AMERICAN EXPRESS TRAVEL RELATED	:
SERVICES COMPANY, INC.	:
	:
Plaintiff	:
v.	:
	:
VISA U.S.A., INC., et al.	:
	:
Defendants.	:
-----X	
BARBARA S. JONES	
UNITED STATES DISTRICT JUDGE	

04 Civ. 7844 (BSJ)

CASE MANAGEMENT  
ORDER

04 Civ. 8967 (BSJ)

CASE MANAGEMENT  
ORDER

After consultation with the parties, the Court adopts the following Case Management Order (the "Order"). This plan is also a scheduling order pursuant to Rules 16 and 26(f) of the Federal Rules of Civil Procedure.

1. Fact Discovery. Fact Discovery shall be completed by February 1, 2007 (12 months from the date of this Order). Interim deadlines set forth below may be extended by the parties or consent without application to the Court.

A. Initial Document Discovery. The parties shall produce documents in response to initial requests

under Federal Rule of Civil Procedure 34 in good faith on a rolling basis. Objections shall be served consistent with the Federal Rules, and disputes as to documents shall be promptly raised with the Court for resolution to avoid delay. Parties may serve Interrogatories pursuant to Local Rule 33.3(a) and third party subpoena duces tecum. Document production shall be completed by June 1, 2006 (four months from the date of this Order).

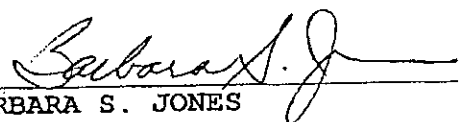
B. Depositions. Depositions shall commence on June 1, 2006 (four months from the date of this Order) and shall be completed by February 1, 2007 (12 months from the date of this Order). Prior to the commencement of substantive depositions, the parties may take non-substantive depositions pursuant to Federal Rule of Civil Procedure 30(b)(6). The Court will not limit the number of depositions, but also will not extend the deadline for fact discovery, barring a showing of extraordinary circumstances.

2. Status Conference. At 10:00 a.m. on January 4, 2007 (approximately 11 months after entry of this scheduling Order), a status conference will be held to consider the timing of

collateral estoppel motions and other issues, including a Case Management Order with respect to Expert Discovery.

3. By separate order, these cases are referred to Magistrate Judge Kevin Nathaniel Fox for supervision of discovery.

SC ORDERED:

  
BARBARA S. JONES  
UNITED STATES DISTRICT JUDGE

Dated: New York, New York  
February 1, 2006